

**AMENDMENT TO THE CLAIMS**

The claims in this listing will replace all prior versions, and listings, of claims in the application.

1. (Currently Amended) A communication control apparatus comprising:

a detection section that detects at least one of a radio environment, comprising a radio communication field intensity and a modulation scheme for radio communication or a network environment, comprising identification information of a network with which the communication control apparatus is associated and a communication condition of the network,

a lower layer management section that stores information of the ~~[[a]]~~ detected radio environment or network environment, ~~and~~ monitors whether or not a change has occurred in ~~said~~ the radio environment or ~~said~~ in the network environment and provides a monitoring result to an upper layer, above a transport layer, without the result being conveyed through the transport layer; and

a control section that performs ~~application~~ communication service control ~~when a change has occurred in said radio environment or said network environment~~ in the upper layer, above the transport layer, based upon the monitoring result received from the lower layer management section without the result being conveyed through the transport layer.

2. (Currently Amended) The communication control apparatus according to claim 1, wherein:

~~said~~ the lower layer management section monitors a change in the radio

environment or in the network environment ~~changes~~ in a lower layer ~~than a~~ below the transport layer in an OSI (Open System Interconnection) hierarchical model; and

said the control section performs communication service control by means of ~~an~~ application layer the upper layer, above the transport layer, in accordance with the change ~~in the an environment change~~ in a the lower layer below the ~~than said~~ transport layer.

3. (Currently Amended) The communication control apparatus according to ~~claim 1~~ claim 2, wherein said the control section comprises[[:]]

~~a determination section that determines which environment has changed of a radio environment of radio communication performed by said communication control apparatus and a network environment to which said communication control apparatus belongs; and~~

a decision section that, when the change in the radio environment or in the network environment satisfies a predetermined condition, decides on a control operation for changing the communication service ~~when a~~ in accordance with the change of said in the radio environment or said in the network environment ~~satisfies a predetermined condition.~~

4. (Canceled)

5. (Currently Amended) The communication control apparatus according to claim 3, wherein said the decision section changes operation relating to ~~any~~ at least one of service quality in network transmission, signaling information transmission/reception, or

transmit data transmission/reception.

6. (Currently Amended) The communication control apparatus according to ~~claim~~  
~~3~~ claim 5, wherein:

~~said the~~ control section ~~changes~~ further comprises a notification section that, when negotiation with a communicating station is necessary, notifies ~~said the~~ communicating station that a call involving ~~said the~~ communicating station is to be updated; and

~~said the~~ decision section decides on a control operation after a call has been updated.

7. (Original) A communication terminal apparatus comprising the communication control apparatus according to claim 1.

8. (Original) A server apparatus comprising the communication control apparatus according to claim 1.

9. (Currently Amended) A communication control method comprising:

~~a step of~~ detecting at least one of a radio environment, comprising a radio communication field intensity and a modulation scheme for radio communication or a network environment, comprising identification of a network with which the communication control apparatus is associated and a communication condition of the network,

~~a step of~~ storing a information of the detected radio environment or network environment, ~~environemnt~~ and monitoring whether or not a change has occurred in said the radio environment or ~~said~~ in the network environment and providing a monitoring result to an upper layer, above a transport layer, without the result being conveyed through the transport layer; and

~~a step of~~ performing ~~application~~ communication service control in the upper layer, above the transport layer, based on the monitoring result received without the result being conveyed through the transport layer ~~when a change has occurred in said radio environment or said network environment.~~